THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.534 OF 2007

DATED: 20-04-2007

BETWEEN

Eti Jagadish, S/o. Thirupathi Rao,
R/o. D.No.1-4-70/A, Pitapuram,
East Godavari District and another.

...PETITIONERS

AND

The Superintendent of Police,
East Godavari District, Kakinada
and another.

...RESPONDENTS

ORDER:

Learned counsel for the petitioner submits that even after closing the rowdy sheet opened against the petitioner pursuant to the directions of this Court in W.P.No.20841 of 2001 dated 11.06.2002,
a suspect sheet has been opened against him on the ground that a case is pending in Cr.No.174 of 2005 for the offence under Section 420 of the Indian Penal Code, 1860. The allegation of the petitioner is that the second respondent is threatening and pressurizing him to withdraw the cases in C.C.SR.No.56 of 2005 and O.S.No.7 of 2005 filed against the then Sub Inspector of Police, Tuni, who opened the rowdy sheet against him.

2. Counter has been filed stating that the second respondent never pressurized the petitioner to withdraw the said cases. In fact, petitioner made a representation dated 30.10.2006 before the Superintendent of Police, East Godavari with regard to the aforesaid allegations, which have been enquired

into by the Circle Inspector of Police, Pitapuram and a report has been filed that the same are false and concocted. It is further stated that the second respondent never interfered with the personal life and liberty of the petitioner and never threatened him to withdraw the aforesaid cases.

3. In view of the aforesaid categorical denial of the allegations of the petitioner, I am of the opinion that no orders need be passed in this writ petition. However, it is needless to mention that merely because the petitioner filed a criminal case against the then Sub Inspector of Police, the respondents cannot interfere with the personal life and liberty of the petitioner without there being any cases pending or registered against him with regard to cognizable offence.

The writ petition is accordingly dismissed. There shall be no order as to costs.

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V. ESWARAIAH, J

April 20, 2007
DSK